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14 *Attorneys for Defendant*  
15 *Sam's West, Inc.*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 KELLY GREEN, an individual,

19 Plaintiff,

20 v.

21 SAMS CLUB.; Does I-X, and ROE  
22 CORPORATIONS I-X, inclusive,

23 Defendant(s).

24 Case No.: 2:20-cv-00834-APG-EJY

25 **STIPULATION AND [PROPOSED]**  
**ORDER TO EXTEND DISCOVERY**  
**DEADLINES**

26 **[FOURTH REQUEST]**

27 Plaintiff KELLY GREEN (hereinafter "Plaintiff") and Defendant SAM'S WEST INC.  
28 (erroneously sued as "SAMS CLUB") (hereinafter "Defendant" or "Sam's Club"), by and through their  
respective counsel of record, do hereby stipulate to extend the remaining deadlines in the current  
scheduling order and discovery plan in this matter for a period of sixty (60) days for the reasons  
explained herein.

29 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the fourth such discovery  
30 extension requested in this matter.

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**DISCOVERY COMPLETED TO DATE**

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- Plaintiff has provided provider specific authorizations;
- Defendant has served upon Plaintiff one set of Requests for Production, one set of Interrogatories and one set of Requests for Admissions and Plaintiff has responded to the same;
- The parties have filed all required documents pursuant to ECF 2 to date;
- Deposition of Plaintiff;
- Deposition of Fact Witness Louis Demaioribus by Plaintiff;
- Disclosures of experts by both parties;

**DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF DISCOVERY**

### **Discovery to be completed includes:**

- Depositions of Plaintiff's treating physicians;
- Depositions of fact witnesses;
- Depositions of expert witnesses and rebuttal expert witnesses; and
- Plaintiff to notice Defendant's 30(b)(6) deposition.

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension.

The parties agree that, pending this Court's approval, extension of remaining discovery deadlines is appropriate, as there has been a delay in setting Deposition of Plaintiff's retained expert, as he is not available until September 2021. Further, Plaintiff has recently disclosed evidence that may require an inspection. This evidence is central to the parties' claims and defenses. The parties are working together amicably. According, the parties have agreed to a 60-day discovery extension in order to ensure that meaningful discovery is conducted prior to the closure of discovery.

The parties have acted in good faith to request this extension and have no intent, nor reason, to delay the resolution of this matter.

1                   **[PROPOSED] NEW DISCOVERY DEADLINES**

2                   **Deadline to Amend Pleading:**

3                   Currently: May 10, 2021

4                   Proposed: **No Change**

5                   **Expert Disclosure Deadline:**

6                   Currently: June 7, 2021

7                   Proposed: **No Change**

8                   **Rebuttal Expert Disclosure Deadline:**

9                   Currently: July 8, 2021

10                   Proposed: **No Change**

11                   **Discovery Cut-Off Date:**

12                   Currently: August 5, 2021

13                   Proposed: **October 4, 2021**

14                   **Dispositive Motion Deadline:**

15                   Currently: September 6, 2021

16                   Proposed: **November 5, 2021**

17                   **Proposed Joint Pre-Trial Deadline:**

18                   Currently: October 4, 2021

19                   Proposed: **December 3, 2021**

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1       If this extension is granted, all anticipated additional discovery should be concluded within the  
2 stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is  
3 made by the parties in good faith and not for the purpose of delay.  
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5 DATED this 29 day of July, 2021.

6 **STOVALL & ASSOCIATES**

7   
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9 Nevada Bar No. 2566

10 ROSS MOYNIHAN, ESQ.

11 Nevada Bar No. 11848

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13 Las Vegas, NV 89107

14 *Attorneys for Plaintiff*

5 DATED this 29<sup>th</sup> day of July, 2021.

6 **PHILLIPS, SPALLAS & ANGSTADT LLC**

7 

8 ROBERT K. PHILLIPS, ESQ.

9 Nevada Bar No. 11441

10 MEGAN E. WESSEL, ESQ.

11 Nevada Bar No. 14131

12 LATISHA ROBINSON, ESQ.

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15 Las Vegas, NV 89101

16 *Attorneys for Defendant*  
17 *Sam's West, Inc.*

18 **IT IS SO ORDERED:**

19   
20 **UNITED STATES MAGISTRATE JUDGE**

21 **DATED:** July 29, 2021

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